| | Applica | nt's Substitute for 1 | 449A ⁷ | | 0 | Comp | 9 = |
|---|---------|-----------------------|-------------------|-----------|------------------------|-----------------|-----|
| | | | - | COLOCUEE | Application Number | | |
| | | RMATION FEMENT BY | | SCLOSURE | Filing Date | August 30, 2001 | |
| | SIA | I EIVIEIVI BT | APPLIC | JANI | First Named Inventor | Hai H. Trieu | 434 |
| | | (use as many : | sheets as ne | ecessary) | Group Art Unit | | |
| | | | | | Examiner Name | | 200 |
| S | heet | 1 | of | 6 | Attorney Docket Number | 4002-2643 | 7 |

| | | | U.S. PATENT DOC | CUMENTS | |
|---------------------|----------|---|---|--|---|
| Examine Initials | No. | U.S. Patent Document Kind Code ¹ Number (# known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| X | 2 | *3,867,728 | Stubstad et al. | 02-25-1975 | |
| | | *3,875,595 | Froning | 04-08-1975 | |
| | | *4,202,055 | Reiner et al. | 05-13-1980 | |
| | | *4,283,799 | Pratt, Jr. et al. | 08-18-1981 | |
| | | *4,349,921 | Kuntz | 09-21-1982 | |
| | | *4,428,082 | Naficy | 01-31-1984 | , |
| | 1 | *4,454,612 | McDaniel et al. | 06-19-1984 | |
| | | *4,663,358 | Hyon et al. | 05-15-1987 | |
| | | *4,772,287 | Ray et al. | 09-20-1988 | |
| | | *4,863,477 | Monson | 09-05-1989 | |
| | | *4,904,260 | Ray et al. | 09-27-1990 | |
| | | *4,911,718 | Lee et al. | 03-27-1990 | |
| | | *4,917,704 | Frey et al. | 04-17-1990 | |
| | | *5,002,576 | Fuhrmann et al. | 03-26-1991 | |
| | | *5,035,716 | Downey | 07-30-1991 | |
| | | *5,047,055 | Bao et al. | 09-10-1991 | |
| | | *5,071,437 | Steffee | 12-10-1991 | |
| | | *5,108,438 | Stone | 04-28-1992 | |
| | | *5,147,646 | Graham | 09-15-1992 | |
| AS. | , | *5,171,280 | Baumgartner | 12-15-1992 | |

| | | | | FOR | EIGN PATENT DOCUMENT | rs | | |
|-----------|------|---------------------|-----------------------|--------------------------------------|---|------------------------------|---|--------------------|
| Examiner | Cite | | Foreign Patent Docume | ent | Name of Debastos on Applicant | Date of Publication of | Pages, Columns, Lines, Where | \top |
| Initials" | No.1 | Office ³ | Number | Kind Code ⁵ (If known) | Name of Patentee or Applicant of Cited Document | Cited Document MM-DD-YYYY | Relevant Passages or Relevant Figures Appear | T⁵ |
| X | | | *WO 90/11740 | | Bosch | 10-18-1990 | | |
| | | | *WO 95/31946 | | Smith & Nephew PLC | 11-30-1995 | | |
| | | | *WO 9 6/01598 | | Smith & Nephew PLC | 01-25-1996 | ····· | |
| | | | *EP0700 671A1 | | Howmedica, Inc. | 03-13-1996 | | |
| | | | *WO 97/26847 | | Advanced BioSurfaces | 07-31-1997 | | |
| TWI | | | *WO 00/13619 | | Spinal Dynamics Corp | 03-16-2000 | | |
| X | | | *WO 00/13620 | | Spinal Dynamics Corp | 03-16-2000 | | |
| L | | ļ | | - | | | | $oldsymbol{\perp}$ |
| ļ | | | | | | | | |
| | | 1 | | | | | | |

| DNK-1998-047-PA | | | |
|-----------------|-----------|---------------------|---|
| Examiner | (T " V | Date | ^ |
| Signature 🗸 | - Jawant. | Considered /2/04/04 | 9 |
| | | | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent documents. ³ Enter Office that issued the document, by the two-letter code (WIPO) Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here it English language Translation is attached. ⁷In-house version of PTO/SB/08A (10-96).

| | | 1 | 7 | | | |
|---|-------------------------|--------------------|-------------|------------------------|-------------------|---|
| Appli | cant's Substitute for 1 | 1449A ⁷ | | (| Complete if Known | |
| 1815 | 0014471011 | _ | 1001 001105 | Application Number | T | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Filing Date | August 30, 2001 | |
| 517 | AIEMENI BA | APPLI | CANT | First Named Inventor | Hai H. Trieu | · |
| | (use as many . | sheets as r | necessary) | Group Art Unit | | |
| | | | | Examiner Name | | |
| Sheet | 2 | of | 6 | Attorney Docket Number | 4002-2643 | |

| | U.S. PATENT DOCUMENTS | | | | | | | | | |
|-----------------------|-----------------------|---|--|---|--|--|--|--|--|--|
| Examiner Initials* | Cite No.1 | U.S. Patent Document Kind Code* Number (J known) | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Colums, Lines, Where Relevant Passages or Relevant Figures Appear | | | | |
| K | | *5,192,326 | | Bao et al. | 03-09-1993 | | | | | |
| 4 | | *5,306,307 | | Senter et al. | 04-26-1994 | | | | | |
| | | *5,306,308 | | Gross et al. | 04-26-1994 | | | | | |
| | | *5,320,644 | | Baumgartner | 06-14-1994 | | | | | |
| | | *5,443,727 | | Gagnon | 08-22-1995 | | | | | |
| | | *5,534,028 | | Bao et al. | 07-09-1996 | | | | | |
| | | *5,534,030 | | Navarro et al. | 07-09-1996 | | | | | |
| | | *5,545,229 | | Parsons et al. | 08-13-1996 | | | | | |
| | | *5,549,679 | | Kuslich | 08-27-1996 | | | | | |
| | | *5,562,736 | | Ray et al. | 10-08-1996 | | | | | |
| | | *5,571,189 | | Kuslich | 11-05-1996 | | | | | |
| | | *5,645,597 | | Krapiva | 07-08-1997 | | | | | |
| | | *5,674,294 | | Bainville et al. | 10-07-1997 | | | | | |
| | | *5,674,295 | | Ray et al. | 10-07-1997 | | | | | |
| | | *5,674,296 | | Bryan et al. | 10-07-1997 | | | | | |
| | | *5,676,698 | | Janzen et al. | 10-14-1997 | | | | | |
| \Box | | *5,702,454 | | Baumgartner | 12-30-1997 | · | | | | |
| | | *5,716,416 | | Lin | 02-10-1998 | | | | | |
| V | | *5,755,797 | | Baumgartner | 05-26-1998 | | | | | |
| XS | | *5,800,549 | | Bao et al. | 09-01-1998 | | | | | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | | | |
|-----------|--------------------------|--|------------------|--------------------------------------|---|------------------------------|---|--------------------|--|--|
| Examiner | 0: | Fore | eign Patent Docu | ment | Atama of Batantan as Assiliana | Date of Publication of | Pages, Columns, Lines, Where | T | | |
| Initials* | Cite No.1 | Office ³ | Number | Kind Code ⁶ (if known) | Name of Patentee or Applicant of Cited Document | Cited Document MM-DD-YYYY | Relevant Passages or Relevant Figures Appear | T° | | |
| | | | | | | | | \perp | | |
| | | | | | | | | +- | | |
| | | | ······ | | | | | + | | |
| | | | | | | | | + | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| <u> </u> | | <u> </u> | | | | | | ┷ | | |
| | | <u> </u> | | | | · · | | $oldsymbol{\perp}$ | | |
| | |] | | 1 1 | | | | | | |

| Examiner A | Stewart | Date Considered | 12/06/04 | ρ |
|---------------|----------|--------------------|----------|---|
| Congridator / | . 000.00 | Considered | 100 | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent documents. ³ Enter Office that issued the document, by the two-letter code (WIPO) Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. ⁷In-house version of PTO/SB/08A (10-96).

| | Appli | icant's Substitute for | 1449A ⁷ | | | Complete if Known | |
|----------|-------|------------------------|--------------------|------------|------------------------|-------------------|--|
| | 1815 | ODMATION | _ | ICOLOCUES | Application Number | | |
| | | ORMATION | _ | ISCLOSURE | Filing Date | August 30, 2001 | |
| | 517 | ATEMENT BY | Y APPLI | CANI | First Named Inventor | Hai H. Tri u | |
| | | (use as many | sheets as n | necessary) | Group Art Unit | | |
| | | | | | Examiner Name | | |
| <u> </u> | Sheet | 3 | of | 6 | Attorney Docket Number | 4002-2643 | |

| | | | | U.S. PATENT DOC | UMENTS | |
|-----------------------|--------------|------------------|--|--|--|---|
| Examiner Initials* | Cite No.1 | U.S. Patent Doct | ument Kind Code ⁷ (8 known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| AS | | *5,824,093 | | Ray et al. | 10-20-1998 | |
| | | *5,863,551 | | Woerly | 01-26-1999 | |
| | | *5,865,846 | | Bryan et al. | 02-02-1999 | |
| | _ | *5,922,024 | | Janzen et al. | 07-13-1999 | |
| | | *5,976,186 | | Bao et al. | 11-02-1999 | |
| | | *6,001,130 | | Bryan et al. | 12-14-1999 | |
| | | *6,022,376 | | Assell et al. | 02-08-2000 | |
| | | *6,093,205 | | McLeod et al. | 07-25-2000 | |
| | | *6,099,565 | | Sakura, Jr. | 08-08-2000 | |
| | | *6,110,210 | | Norton et al. | 08-29-2000 | |
| | | *6,132,465 | | Ray et al. | 10-17-2000 | |
| | | D-397,436 | | Michelson | 08-25-1998 | |
| | | 3,486,505 | | Morrison | 12-30-1969 | |
| | | 3,848,601 | | Ma et al. | 11-19-1974 | |
| | | 3,892,232 | | Neufeld | 07-01-1975 | |
| | | 4,059,115 | | Jumashev et al. | 11-22-1977 | |
| | | 4,142,517 | | Stavropoulos et al. | 03-06-1979 | |
| | | 4,162,922 | | Barber | 09-23-1986 | |
| | | 5,015,255 | | Kuslich | 05-14-1991 | |
| ₹ S | | 5,055,104 | | Ray | 10-08-1991 | |

| | | | | FOR | EIGN PATENT DOCUMENT | rs | | |
|------------|--------------|---------------------|------------------------|--------------------------|-------------------------------|------------------------------|---|---------|
| Examiner | Ciro | | Foreign Patent Documer | nt | Name of Patentee or Applicant | Date of Publication of | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | |
| Initials" | Cite No.' | Office ³ | Number | Kind Code* (if known) | of Cited Document | Cited Document MM-DD-YYYY | | T⁵ |
| XS | | | FP0 077 159 A1 | | Brian Atkins Fng. | 04-20-1983 | | |
| | | | WO 93/14801 | | Wilk | 08-05-1993 | · · · · · · · · · · · · · · · · · · · | |
| | | <u> </u> | FP0 732 093 A2 | | Sofamor Danek Group | 09-18-1996 | · | \perp |
| | | <u> </u> | WO 96/27345 | | Michelson | 09-12-1996 | | |
| | | <u> </u> | WO 96/40020 | | Michelson | 12-19-1996 | | |
| | | | EP0 880 938 A1 | | U.S. Surgical Corp. | 02-12-1998 | | |
| ΔL | | | WO 99/59481 | | Sulzer Spine-Tech | 11-25-1999 | | |
| V | | | WO 00/59412 | | RavMedica, Inc. | 10-12-2000 | | |
| AS | | | WO 00/61037 | | RayMedica, Inc. | 10-19-2000 | | \perp |
| | | L | | | | Li | | 1 |

| Examiner A. Stewart Date Consi | sidered 12406/04 |
|--------------------------------|------------------|
|--------------------------------|------------------|

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent documents. ³ Enter Office that issued the document, by the two-letter code (WIPO) Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. ⁷In-house version of PTO/SB/08A (10-96).

| | Applicant's Substitute for | 1449A ⁷ | | Complete if Known | | | |
|-----|----------------------------|--------------------|-------------|------------------------|-----------------|-----|--|
| | NECOMATION | _ | 1001 001105 | Application Number | | | |
| - | NFORMATION | _ | ISCLOSURE | Filing Date | August 30, 2001 | | |
| • | STATEMENT BY | APPLI | CANT | First Named Inventor | Hai H. Trieu | | |
| | (use as many | sheets as d | necessary) | Group Art Unit | | | |
| | | | | Examiner Name | | | |
| She | et 4 | of | 6 | Attorney Docket Number | 4002-2643 | . , | |

| | U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|-----------------------|------------------|--|---|--|---|--|--|
| Examiner Initials* | Cite No. | U.S. Patent Docu | ument Gind Code ² Ø known | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pagos, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | |
| ZX. | • | 5,062,845 | | Kuslich et al. | 11-05-1991 | | | |
| | | 5,246,458 | | Graham | 09-21-1993 | | | |
| | | 5,431,658 | | Moskovich | 07-11-1995 | | | |
| | | 5,466,243 | | Schmieding et al. | 11-14-1995 | | | |
| | | 5,489,307 | | Kuslich et al. | 02-06-1996 | | | |
| | | 5,554,191 | | Lahille et al. | 09-10-1996 | | | |
| | | 5,569,205 | | Hart et al. | 10-29-1996 | | | |
| | | 5,645,597 | | Krapiva | 07-08-1997 | | | |
| . \ | | 5,720,748 | | Kuslich et al. | 02-24-1998 | | | |
| | | 5,722,977 | | Wilhelmy | 03-03-1998 | | | |
| | | 5,782,830 | | Farris | 07-21-1998 | | | |
| | | 5,785,710 | | Michelson | 07-28-1998 | | | |
| | | 5,797,909 | | Michelson | 08-25-1998 | | | |
| | | 5,885,299 | | Winslow et al. | 03-23-1999 | | | |
| | | 5,899,908 | | Kuslich et al. | 05-04-1999 | | | |
| | | 5,919,235 | | Husson et al. | 07-06-1999 | | | |
| | | 5,928,242 | | Kuslich et al. | 07-27-1999 | | | |
| $\square JJ$ | | 5,947,971 | | Kuslich et al. | 09-07-1999 | | | |
| | | 5,984,967 | | Zdeblick et al. | 11-16-1999 | | | |
| 8 | | 6,019,793 | | Perren et al. | 02-01-2000 | | | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | | |
|-----------|--------------------------|--|------------------|--------------------------------------|---|------------------------------|---|----|--|
| Examiner | Circ | For | eign Patent Docu | ment | | Date of Publication of | Pages, Columns, Lines, Where | Т | |
| Initials* | Cite No.1 | Office ³ | Number | Kind Code ⁸ (if known) | Name of Patentee or Applicant of Cited Document | Cited Document MM-DD-YYYY | Relevant Passages or Relevant Figures Appear | | |
| | | | | | | | | ╀ | |
| | | | | | | | | ╀ | |
| | | 1 | | | | | | +- | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | ļ | | ┿ | |
| | | | | _ | | | | +- | |
| | | | | | | ļ | | + | |

| Examiner | | | l Date | | 1 | 1 . | |
|-----------|----------|-------|------------|-----|-------|-------|--|
| | | Y (2) | 54.0 | 12 | 1 . 6 | /nJ | |
| Signature | 7 | Quare | Considered | (2) | , , , | 7 5 7 | |
| | | | | | _ | | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent documents. ^a Enter Office that issued the document, by the two-letter code (WIPO) Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. ⁷In-house version of PTO/SB/08A (10-96).

| Applica | ant's Substitute for 14 | 149A ⁷ | | Complete if Known | | | |
|---------|-------------------------|-------------------|------------|------------------------|-----------------|--|--|
| | | | 301.001.05 | Application Number | | | |
| | DRMATION | | SCLOSURE | Filing Date | August 30, 2001 | | |
| STA | TEMENT BY | APPLIC | ANT | First Named Inventor | Hai H. Trieu | | |
| | (use as many s | heets as ne | cessarv) | Group Art Unit | | | |
| | | | | Examiner Name | | | |
| Chaot | 5 | of | 6 | Attacacy Dooket Number | 4002-2642 | | |

| | U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|-----------------------|--|---------------|--|---|--|--|--|
| Examiner Initials* | Cite No.' | U.S. Patent Document Kind Cod Number Rind Cod | | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | | |
| 122 | | 6,109,264 | Sauer | 08-29-2000 | | | | |
| | | 6,110,211 | Weiss | 08-29-2000 | | | | |
| | | 6,113,639 | Ray et al. | 09-05-2000 | | | | |
| | | 6,165,218 | Husson et al. | 12-26-2000 | | | | |
| | | 6,179,873 | Zientek | 01-30-2001 | | | | |
| | | 6,183,518 | Ross et al. | 02-06-2001 | | | | |
| | | 6,187,048 | Milner et al. | 02-13-2001 | - | | | |
| | | 6,193,757 | Foley et al. | 02-27-2001 | | | | |
| | | 6,206,923 | Boyd et al. | 03-27-2001 | | | | |
| 4/ | | D-374,283 | Michelson | 10-01-1996 | | | | |
| 7 | | D-377,093 | Michelson | 12-31-1996 | | | | |
| 985 | | D-405,176 | Michelson | 02-02-1999 | · · · · · · · · · · · · · · · · · · · | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | , | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | • | | | | |
| | | | | | | | | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | | | |
|--|--------------------------|--|--|-------------------------------------|---|---------------------------------------|---|----|--|--|
| Examiner | | Foreign Patent Document | | | Name of Basesian as Ameliana | Date of Publication of | Pages, Columns, Lines, Where | T | | |
| Initials* | Cite No.1 | Office ³ | Number | Kind Code ^a (# known) | Name of Patentee or Applicant of Cited Document | Cited Document MM-DD-YYYY | Relevant Passages or Relevant Figures Appear | | | |
| | | | | | | | | | | |
| | | | | | | · · · · · · · · · · · · · · · · · · · | | + | | |
| | | | <u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u> | | | | | + | | |
| | | | · | + | | | | +- | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | <u> </u> | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |

| Examiner Signature | Stewart | Date Considered | 12/04/04 |
|-----------------------|---------|--------------------|----------|
| | | | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent documents. ³ Enter Office that issued the document, by the two-letter code (WIPO) Standard ST.3), ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. ⁷In-house version of PTO/SB/08A (10-96).

| DISCLOS | IENTAL INFORMATION URE CITATION | Atty. Docket No. 4002-2643 | Serial No. | | | |
|---------------------|---|---|---|--|--|--|
| ((| Jse several sheets if necessary) Page 6 of 6 Page | Applicant Hai H. Trieu | | | | |
| | | Filing Date Group August 30, 2001 | | | | |
| Examiner Initial | | PUBLICATION | | | | |
| 10 | Surgical Technique Using Bo Sofamor Danek USA | Surgical Technique Using Bone Dowel Instrumentation for Anterior Approach, pp.1-19, Sofamor Danek USA | | | | |
| X8 | Reduced Profile Instrumenta Dorchak, M.D., pp. 1-24, Soft | ation, "Surgical Technique", amor Danek USA (1999) | , J. Kenneth Burkus, M.D., John D. | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | · | | | |
| , | | | | | | |
| | | | | | | |
| | | | | | | |
| | · | | | | | |
| , | | | | | | |
| | | | | | | |
| Examiner | . Tenat | Date Considered | -/04/04 | | | |
| | itial if reference considered, whether or not cita and not considered. Include copy of this form | ation is in conformance with MPEP | 609; Draw line through citation if not in | | | |